GOVERNMENT OF INDIA
AGRICULTURE AND FARMERS WELFARE
LOK SABHA

UNSTARRED QUESTION NO:402
ANSWERED ON:19.07.2016
Licensing and Formats for GM Technology Agreement Guidelines
Birla Shri Om;Choudhary Shri Ram Tahal

Will the Minister of AGRICULTURE AND FARMERS WELFARE be pleased to state:

(a) whether the Government has withdrawn the notification calling GM developers to compulsorily license their proprietary traits on demand, if so, the details thereof;

(b) whether the Government has also rolled back the decision not to charge any royalty exceeding 10 per cent of the maximum sale price of seeds, if so, the details thereof; and

(c) the details of the key features of the Licensing and Formats for GM Technology Agreement Guidelines and the time by which the Government proposes to put out a formal confirmation on compulsory license and royalty on sale price of seeds?

Answer

MINISTER OF STATE IN THE MINISTRY OF AGRICULTURE AND FARMERS WELFARE

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(a) & (b): Yes, Madam. The Government has withdrawn on 24th May, 2016 the Notification of Licensing and Formats for GM Technology Agreement Guidelines issued vide S.O. No.1813(E) dated 18th May, 2016. These licensing guidelines & format for GM Technology Agreement have been uploaded on the website of the Department for seeking comments/ suggestions from all stakeholders within 90 days from the date of uploading on the website before its finalization.

(c): Key features of the Licensing and Formats for GM Technology Agreement Guidelines include Fair, Reasonable and Non-Discriminatory (FRAND) allocation, a cap on maximum trait value, no right to refuse grant of license to any eligible seed company fulfilling eligibility criteria, in case of loss of efficacy trait value to be zero, no restrictive condition in the agreement for alternative GM technology, etc.

Decision on these draft Licensing guidelines will be taken after receiving comments/ suggestions from all stakeholders on completion of 90 days.

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